

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PACE INDUSTRY UNION-MANAGEMENT)	
PENSION FUND and its TRUSTEES: STAN)	
JOHNSON, GARY BEEVERS, JOHN)	
GEENEN, JAMES KIDDER, RON HACKNEY,)	
DALE OLSON, TIM SUDELA, and LISA)	
SILVERMAN,)	
Plaintiffs,)	
v.)	
TROY RUBBER ENGRAVING COMPANY,)	
Defendant.)	

**No. 3:10-cv-00350
Judge Nixon
Magistrate Judge Knowles**

ORDER

Plaintiffs PACE Industry Union-Management Pension Fund and Its Trustees (“Plaintiffs”) have filed a Notice of Amended Interest Calculation (Doc. No. 54) pursuant to this Court’s August 15, 2011 Order directing Plaintiffs to refile their initial interest calculation (Doc. No. 52), which was obviously incorrect and lacked the information requested in Court’s August 2 decision granting summary judgment in Plaintiffs’ favor (Doc. No. 51).

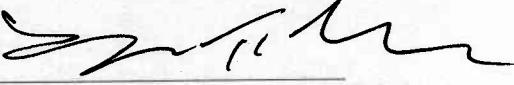
Plaintiffs have now filed not only an updated interest calculation (Doc. No. 54-1) that appears more consistent with the initial calculations included in previous briefing, but have also supplied a signed Declaration from the Fund’s Financial Officer, Trevor K. England (Doc. No. 54-2). In that Declaration, England avers that the interest amount accumulated as of the date of the Declaration’s filing, August 18, 2011, was \$8,751.14, and would continue accumulating at a rate of \$12.28 per day. (*Id.* ¶¶ 8-9.) Further, the Declaration avers that Plaintiffs remain entitled to liquidated damages of twenty percent of the total withdrawal liability amount (\$216,775), or

\$43,355, pursuant to 29 U.S.C. § 1132(g)(2) in light of the new interest figure. (*Id.* ¶ 10.) As such, the total amount of Defendant's liability, according to the Declaration, is \$268,881.14. (*Id.* at ¶ 11.) An additional day of interest will be added as the entry of judgment will occur on August 19, 2011.

Having reviewed these new filings, the Court **ENTERS JUDGMENT** in Plaintiffs' favor consistent with its previous Order of August 2, 2011, and thus **AWARDS** Plaintiffs \$268,893.42. Plaintiffs' counsel is encouraged to fully follow instructions and to take care in making accurate submissions to the Court in the future.

It is so ORDERED.

Entered this the 19⁺³ day of August, 2011.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT